

MINUTES

FRANKFORD TOWN COUNCIL

MARCH 7, 2016

TOWN COUNCIL:	JOANNE BACON	VICE PRESIDENT
	MARTY PRESLEY	SEC/TREASURER
	PAM DAVIS	COUNCIL MEMBER
	GREG WELCH	COUNCIL MEMBER

TOWN EMPLOYEES:	CHERYL LYNCH	TOWN CLERK
	MIKE WARCHOL	CHIEF OF POLICE
	DAVE WARD	MAINTENANCE

OTHERS:	ROBERT MURRAY	KATHY MURRAY
	CHRISTIE BRITTINGHAM	GEORGIA ASH
	GLENN W ROLFE	MARIA COUNTS
	CLARENCE R QUILLEN	HENRY MUMFORD
	TYRONE _____	JUSTIN TOMLINSON
	EDWARD L ASH	PASTOR BARBARA KEYSER
	BRYAN MURRAY	JAMES SAMPLE
	RUSSELL DAVENPORT	CHAD LINGENFELDER
	BARBARA FRANKLIN	ALBERT FRANKLIN
	JANET HEARN	JASON TAYLOR
	JERRY SMITH	LIZ CARPENTER

CALL TO ORDER:

THE REGULAR MONTHLY MEETING OF THE FRANKFORD TOWN COUNCIL WAS CALLED TO ORDER BY JOANNE BACON AT 7:03Pm.

PLEDGE OF ALLEGIANCE/HONOR OF VETERANS AND PUBLIC SERVANTS.

SWEARING IN COUNCIL ELECT: JOANNE NOTED THE REORGANIZATION OF COUNCIL AND OPENED THE FLOOR FOR NOMINATIONS:

PRESIDENT: MARTY MADE THE MOTION TO NOMINATE JOANNE BACON FOR PRESIDENT AND PAM SECONDED THE MOTION . THE VOTE WAS UNANIMOUS.

VICE PRESIDENT: EDWARD (SKIP) ASH MADE THE MOTION TO NOMINATE GREG WELCH AS VICE PRESIDENT AND MARTY SECONDED THE MOTION. THE VOTE WAS UNANIMOUS.

SECRETARY/TREASURER: JOANNE MADE THE MOTION TO NOMINATE MARTY PRESLEY AS SECRETARY/TREASURER AND GREG SECONDED THE MOTION. THE VOTE WAS UNANIMOUS.

JOANNE NOTED WE NEEDED TO APPOINT THE LIASONS FOR THE WATER, POLICE DEPARTMENT, PUBLIC WORKS AND ADMINISTRATION.

WATER: MOTION WAS MADE BY MARTY AND SECONDED BY SKIP FOR GREG WELCH TO HANDLE THE WATER DEPARTMENT AND THE VOTE WAS UNANIMOUS.

POLICE: MOTION WAS MADE BY GREG AND SECONDED BY MARTY TO NOMINATE EDWARD (SKIP) ASH TO HANDLE THE POLICE DEPARTMENT. THE VOTE WAS UNANIMOUS.

PUBLIC WORKS: JOANNE AND MARTY MADE THE MOTION TO NOMINATE PAM DAVIS FOR THE PUBLIC WORKS. THE VOTE WAS UNANIMOUS.

ADMINISTRATION: JOANNE SAID SHE WOULD HANDLE THE ADMINISTRATION.

JUDS ACCOUNTANT: MARTY

ATTORNEY CHAD LINGENFELDER: EDWARD (SKIP)ASH

TIDEWATER: GREG AND PAM

MOTION TO APPROVE THE AGENDA WITH ANY ADDITIONS OR DELETIONS:
MARTY AND PAM SAID NEEDED TO ADD THE TERRY TRUITT CASE TO THE AGENDA.

MARTY NOTED THE COUNCIL GAVE CHAD AUTHORITY TO SETTLE THE TERRY TRUITT CASE.

CHAD NOTED A REVIEW OF THE CASE. TERRY, DUDLEY AND HUDSON CALCULATIONS FOR THEIR VACATION AND SICK TIME WERE CALCULATED INCORRECTLY AND POLICY WASN'T ABIDED BY THE EMPLOYEE POLICY.

CHAD NOTED FROM THE SPECIAL MEETING HE WAS GIVEN PERMISSION TO COUNTER OFFER BUT NOT TO EXCEED \$7,500.00 AND TERRY TRUITT'S ATTORNEY RESPONDED TO SETTLE ON THE \$7,500.00.

MARTY NOTED THE TOWN HAD BEEN TAKEN ADVANTAGE OF AND THE OTHER TWO EMPLOYEES WERE ALSO OVER PAID. MARTY NOTED THE ACCOUNTANT WARNED THE TOWN HR POLICY WASN'T BEING FOLLOWED.

GREG NOTED HE THOUGHT THE TOWN HAD A GOOD CASE BECAUSE TERRY VIOLATED THE EMPLOYEE POLICY. GREG WELCH STATED THAT HE FELT THAT THE TOWN WAS NOT PROPERLY DEFENDING THEIR POSITION IN THE TRUITT CASE VERY WELL. HE STATED AFTER REVIEWING THE DOCUMENTATION THAT WAS PRESENTED BY CHAD LINGENFELDER IN EXECUTIVE SESSION, HE FELT THEY HAD A VERY STRONG DEFENDABLE POSITION.

GREG NOTED THAT TERRY TRUITT WAS CLEARLY MISREPRESENTING THE TOWN POLICY AND WROTE HERSELF A CHECK FOR \$6,000 - \$7,000 MORE THAN SHE SHOULD HAVE BEEN PAID. THE DOCUMENTAION DID NOT INCLUDE TERRY'S HANDWRITTEN LEDGER OF HER ACCRUED SIC/VAC HOURS. THE DOCUMENTATION SHOWED THAT THESE HOURS WERE ENTERED INTO QUICKBOOKS TO CREATE HER CHECK. THE PAY STUB SHOWED THAT THE TOWN UNDERPAID HER 210.5 HOURS OF SICK TIME AND

OVERPAID HER 210.5 HRS VACATION TIME. A REIVEW OF THE CASE SHOWED THAT JOANNE AND PAM BOTH ASKED ABOUT THE POLICY AND THE ACCOUNTANT'S APPROVAL OF THIS PAYMENT AS WELL AS THE FINAL PAYOUT TO THE TWO POLICE OFFICERS THAT TERMINATED THEIR EMPLOYMENT. TERRY TRUITT MISREPRESENTED THE POLICY FOR ALL PAYMENTS. A REVIEW OF THE CASE ALSO REVEALED THAT TERRY TRUITT ALSO CLAIMED THAT THE ACCOUNTANT APPROVED ALL PAYMENTS. CHAD LINGENFELDER DID NOT ASK THE ACCOUNTANT WHETHER THEY APPROVED THESE PAYMENTS OR NOT. THE ACCOUNTANTS LETTERS INCLUDED IN AN ANNUAL AUDITS STATED THAT THE VACATION/SICK DAY POLICY WAS NOT BEING EMPLOYED EQUALLY ON ALL EMPLOYEES. TERRY WAS CLAIMING THAT ALL EMPLOYEES AERE GIVEN ALL ACCRUED HOURS ALL THE TIME.

KATHY TALKED ABOUT THE MANAGEMENT LETTERS CONCERNING THE AUDIT.

SKIP NOTED TERRY WASN'T FOLLOWING EMPLOYEE POLICY.

LIZ CARPENTER NOTED IF COUNCIL HAD REVIEWED DUDLEY, HUDSON AND TERRY'S SICK/VACATION TIME THEY WOULDN'T HAVE BEEN OVER PAID.

JERRY SMITH NOTED TERRY SHOULD HAVE FOLLOWED THE EMPLOYEE POLICY.

CHAD NOTED THE SITUATION WITH TERRY'S CASE AND EXPLAINED TO THE TOWNS PEOPLE ABOUT THE SPECIAL MEETING AND PERMISSION FOR CHAD TO COUNTER OFFER TO TERRY'S ATTORNEY.

SKIP MADE THE MOTION TO PAY THE SETTLEMENT. THE VOTE WAS 4 YES AND 1 OPPOSED.

GREG NOTED THAT CHAD LINGENFELDER HAD ALREADY SIGNED A STIPULATION AGREEMNT AND THE CASE HAS ALREADY BEEN SETTLED. THE COUNCIL HAD IN THEIR POSSESSION A SIGNED UNDATED COPY OF THE STIPULATION AGREEMTN BETWEEN THE TOWN'S ATTORNEY AND TERRY TRUITT'S ATTORNEY. GREG NOTED THAT THE VOTE TO SETTLE THE CASE.AT THIS MEETING WAS TO MAKE APPEAR THAT THE COUNCIL WAS MAKING THE DECISION TO SETTLE THIS CASE. THE LAWSUIT WAS ALREADY SETTLED BY THE ATTORNEY'S PRIOR TO THE VOTE AT THIS COUNCIL MEETING. CHAD LINGENFELDER NOTED THAT HE HAD ALREADY SETTLED THIS CASE BY SIGNING THE STIPULATION AGREEMENT. CHAD NOTED HE WAS A MAN OF HIS WORD AND COULD NOT GO BACK ON HIS WORD.

GREG VOTED TO OPPOSE THE SETTLEMENT AGREEMENT.

REPORTS OF TOWN DEPARTMENTS:

WATER:

CLARENCE NOTED NO WATER COMPLAINTS BUT THERE IS THREE FEET OF SLUDGE THEY NEEDED TO ADDRESS. CLARENCE WANTED A MEETING WITH THE COUNCIL. MARTY MENTIONED WE WOULD NEED TO SETUP A SPECIAL MEETING AND JOANNE SHE WOULD SET THE DATE.

CLARENCE SAID THE SLUDGE WOULD NEED TO BE REMOVED BEFORE IT REACHES SEVEN FEET. CLARENCE NOTED NEED TO PURCHASE A PUMP FOR THE PH. GREG AND MARTY TOLD CLARENCE TO PURCHASE THE PUMP.

GREG MADE A MOTION TO PURCHASE AND INSTALL THE CAUSTIC SODA PUMP TO ADJUST THE TREATED

WATERS PH LEVEL. MARTY SECONDED THE MOTION. THE MOTION WAS UNANIMOUS.

TREASURER'S REPORT: MARTY NOTE TO THE TOWN THE INCOME AND EXPENSES REPORT. THE INCOME WAS 10% AND THE EXPENSES WERE 13%. MARTY NOTED HE WOULD BE MEETING WITH TIFFANY LATER IN THE MONTH TO UNDERSTAND THE CATEGORIES/BUDGET.

TOWN CLERK: CHERYL NOTED WORKED ON WATER BILLS AND WILL BE MAILING DELINQUENT WATER BILL STATEMENTS AND THE GROSS RENTAL RECEIPT FORMS.

POLICE DEPARTMENT:

HOURS;		ARREST:		COMPLAINTS:	
TOTAL	325	TRAFFIC	30	TOTAL	45
PATROL	266.5	CRIMINAL	36	CRIMINAL	44
CR INV	31.5			ACCIDENT	1
AC INV	1			TOWN ORD	
ADMIN	37				

MONTHLY NOTE:

JAMES JOLES IS PROGRESSING WELL IN THE FIELD.
MAD AN ARREST IN THE RECENT SPATE OF VEHICULAR BREAKINS.

BEGAN WORKING AS PART OF A TEAM WITH CHILD PROTECTIVE SERVICE TO ADDRESSA PROBLEM FAMILY ON REED STREET.

MAINTENANCE:

DAVE WAS OUT SICK. WILL GIVE REPORT NEXT MONTHLY MEETING

COMMITTEES MEETINGS AND REPORTS:

ENVISION FRANKFORD: PAM MADE A MOTION TO GET GIFTS FOR EASTER IN THE PARK IN THE AMOUNT OF \$250.00 AND SECONDED BY JOANNE.
THE EVENT WILL BE HELD AT THE PARK ON MARCH 26TH FROM 1:00PM TO 4:00PM. WE WOULD BE HAVING VENDORS, FOOD, VARIOUS, GAMES,, PICTURE WITH THE EASTER BUNNY AND AREA FOR SPECIAL NEEDS CHILDREN.

TOWN MANAGER: KATHY NOTED A HOLD ON THE TOWN MANAGER UNTIL AFTER THE BUDGET AND AUDIT IS COMPLETED.

CHARTER COMMITTEE:

THE CHARTER COMMITTEE MET ON FEBRUARY 16, 2016. THEY TALKED ABOUT THE CHANGES THEY WOULD LIKE TO HAPPEN SUCH AS NON RESIDENT VOTING. THE COMMITTEE WILL KEEP DISCUSSING THAT CHANGE. GREG NOTED THE VOTER REGISTRATION FOR THE TOWN AND HE HAD BEEN IN CONTACT WITH ELAINE MANLOVE AND JEAN TURNER. LIZ CARPENTER NOTED HOW TO BE A REGISTERED VOTER SUCH AS A U.S. CITIZEN. GREG NOTED DIDN'T THINK WE COULD GET INTO LEGISLATION THIS YEAR. JERRY SMITH SAID DIDN'T NEED TO RUSH. LIZ NOTED CHARTER CHANGES BE COMPLETED ONE TIME. SUBMIT ONE TIME CORRECTLY. CHAD NOTED THE ABSENTEE BALLOT NEEDS TO BE IN DETAIL. THE NEXT CHARTER COMMITTEE MEETING MARCH 15, 2016 AT 7:00PM.

LAND ACQUISITION: MARTY SAID WE NEED A SURVEY FOR THE BANKS PROPERTY. CHAD NOTED HE WOULD ORDER THE SURVEY.

ANNEXATION STATUS: CHAD NOTED HE WILL MEET WITH FRANKFORD LLC ATTORNEY TO DISCUSS ALL THE INFORMATION FOR THE WATER.

ASSET MANAGEMENT PLAN STATUS:

JOANNE NOTED THAT CABE HAS THE STUDY ON HOLD BECAUSE THE TOWN DOESN'T HAVE FLUORIDE IN THE WATER SYSTEM. CLARENCE NOTED THERE ARE DIFFERENT STEPS WE NEED TO DO BEFORE ADDING FLUORIDE. JOANNE NOTED GREG WILL BE SETTING UP A MEETING WITH TIDEWATER TO DO A WALK THROUGH THE WATER PLANT.

FEASIBILITY STUDY: JOANNE NOTED WAITING TO HERE FROM KYLE.

BUDGET COMMITTEE: THE COMMITTEE MEMBERS ARE MARTY ,KATHY, ROBERT AND JERRY. MARTY NOTED TO CONTACT CHERYL IF INTERESTED IN BEING ON THE BUDGET COMMITTEE. THE FIRST MEETING WILL BE IN MARCH 2016.

CITIZENS PRIVILEGE:

RUSSELL DAVENPORT INQUIRED WHO CUTS THE GRASS AND LANDSCAPING AT THE LIBRARY. JOANNE NOTED THE TOWN TAKES CARE OF THE LANDSCAPING, GRASSCUTTING AND SNOW REMOVAL. RUSSELL WONDERED WHY THE TOWN TAKES CARE OF THESE JOBS FOR THE LIBRARY WHEN THE LIBRARY PROBABLY HAS A BUDGET FOR THESE ITEMS.

MARTY MADE MOTION TO GO INTO EXECUTIVE SESSION AND SECONDED BY SKIP AT 9:17PM.

TOWN COUNCIL RECONVENED TO THEIR REGULAR MEETING AT 10:14PM.

RESPECTFULLY SUBMITTED:

CHERYL LYNCH
TOWN CLERK

AMENDED MINUTES
GREG WELCH SUBMITTED THESE AMENDED MINUTES ON 4-27-2016 FOR APPROVAL

